



STATE OF WISCONSIN

Assembly Journal

Ninety-Eighth Regular Session

MONDAY, June 2, 2008

The Chief Clerk makes the following entries under the above date:

ADVERSE DISPOSAL

The following is a list of Assembly Bills in the possession of the Assembly at the end of the Veto Review Floorperiod, which was adjourned on May 28, and therefore, adversely disposed of pursuant to **Senate Joint Resolution 1**:

Assembly Bills 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985 and 986.

The following is a list of partial vetoed Assembly Bills in the possession of the Assembly at the end of the Veto Review Floorperiod that adjourned on May 28, and therefore, failed to pass notwithstanding the objections of the Governor pursuant to **Joint Rule 82**:

Assembly Bill 207, Wisconsin Act 42
Assembly Bill 1, March 2008
Special Session, Wisconsin Act 226

The following is a vetoed Assembly Bill in the possession of the Assembly at the end of the Veto Review Floorperiod that adjourned on May 28, and therefore, failed to pass notwithstanding the objections of the Governor pursuant to **Joint Rule 82**:

Assembly Bill 676

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Administration
Madison

May 30, 2008

To the Honorable, the Legislature:

This report is transmitted as required by s. [20.002\(11\)\(f\)](#), Wisconsin Statutes, (for distribution to the appropriate standing committees under s. [13.172\(3\)](#), Wisconsin Statutes)

and confirms that the Department of Administration has found it necessary to exercise the “temporary reallocation of balances” authority provided by this section in order to meet payment responsibilities and cover resulting negative cash balances during the month of April 2008.

On April 1, 2008, the General Fund cash balance closed at a negative \$303.2 million. This negative balance continued through April 18, 2008, when the fund’s cash balance closed at a positive \$114.6 million. The General Fund cash balance reached its intra-month low of a negative \$648.4 million on April 10, 2008. The negative balance was due to the difference in the timing of revenues and expenditures.

On April 1, 2008, the Injured Patients and Families Compensation Fund cash balance closed at a negative \$25.4 million. This negative balance continued through April 30, 2008, when the fund’s cash balance closed at a negative \$22.9 million. The Injured Patients and Families Compensation Fund cash balance reached its intra-month low of a negative \$25.5 million on April 7, 2008. The negative balance was due to the transfer of \$71.5 million to the General Fund pursuant to [2007 Wisconsin Act 20](#), and the pending liquidation of fund securities necessary to offset this shortfall.

On April 1, 2008, the Lottery Fund cash balance closed at a negative \$2.2 million. This negative balance continued intermittently through April 25, 2008, when the fund’s cash balance closed at a positive \$3.0 million. The Lottery Fund cash balance reached its intra-month low of a negative \$2.6 million on April 3, 2008. The negative balance was due to the difference in the timing of revenues and expenditures.

On April 21, 2008, the Utility Public Benefits Fund cash balance closed at a negative \$2.8 million. This negative balance continued through April 30, 2008, when the fund’s cash balance closed at a negative \$4.1 million (its intra-month low). The negative balance was due to the difference in the timing of revenues and expenditures.

The General Fund, Injured Patients and Families Compensation Fund, Lottery Fund, and Utility Public Benefits Fund shortfalls were not in excess of the statutory interfund borrowing limitations and did not exceed the balances of the funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund’s share. Therefore, the monthly calculation by the State Controller’s Office will automatically reflect the use of these temporary reallocations of balance authority, and as

a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,
MICHAEL L. MORGAN
Secretary

Referred to committee on **Ways and Means**.

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

May 30, 2008

To the Honorable, the Assembly:

We have completed an evaluation of the food and dairy safety program administered by the Department of Agriculture, Trade and Consumer Protection (DATCP). This report focuses on the effectiveness of DATCP's regulatory activities and follows our January 2008 review of the program's funding. The program's expenditures totaled \$8.4 million in fiscal year (FY) 2006-07 and supported 97.6 full-time equivalent positions.

From FY 2004-05 through FY 2006-07, DATCP completed 79,743 routine inspections of food and dairy establishments.

During this period, 98.7 percent of completed dairy inspections and 68.3 percent of completed food inspections were conducted when scheduled. DATCP has not developed formal inspection frequency standards for food establishments, which partially explains why a smaller percentage of food inspections were completed as scheduled.

While its approach to compliance appears effective in most cases, we found that DATCP is at times ineffective in gaining timely and continued compliance when follow-up is required after an inspection. In a review of 50 cases that suggested significant noncompliance with food and dairy safety regulations, we identified 13 in which DATCP did not take timely and sufficient enforcement action to ensure "permanent and continuous" compliance with food and dairy safety regulations.

In addition, we identified concerns with DATCP's oversight of contracts with local health departments that regulate retail food establishments, and with its documentation of food emergencies. We include several recommendations to improve program management and enhance food and dairy safety enforcement activities.

We appreciate the cooperation extended to us by DATCP in conducting this evaluation. A response from DATCP follows the appendices.

Respectfully submitted,
JANICE MUELLER
State Auditor